



APPLICATION FOR VARIANCE

State Form 44400 (R7 / 10-13)

Approved by State Board of Accounts, 2013

INDIANA DEPARTMENT OF HOMELAND SECURITY

CODE SERVICES SECTION

302 West Washington Street, Room W246

Indianapolis, IN 46204-2739

http://www.in.gov/dhs/fire/fp_bs_comm_code/



INSTRUCTIONS: Please refer to the attached four (4) page instructions.
Attach additional pages as needed to complete this application.

Variance number (Assigned by department)

15-02-3

1. APPLICANT INFORMATION (Person who would be in violation if variance is not granted; usually this is the owner)

Name of applicant

Larry Arrawood, pastor

Title

President

Name of organization

Apostolic Pentecostal Tabernacle, Inc

Telephone number

(812) 528-0875

Address (number and street, city, state, and ZIP code)

301 Indianapolis Ave Seymour, In. 47274

2. PERSON SUBMITTING APPLICATION ON BEHALF OF THE APPLICANT (if not submitted by the applicant)

Name of applicant

James P. Lowry AIA

Title

Architect

Name of organization

same

Telephone number

(765) 969-1731

Address (number and street, city, state, and ZIP code)

11046 Limbach Circle Indianapolis, In. 46236

3. DESIGN PROFESSIONAL OF RECORD (if applicable)

Name of design professional

James P. Lowry AIA

License number

AR0003/989

Name of organization

same

Telephone number

(765) 969-1731

Address (number and street, city, state, and ZIP code)

same

4. PROJECT IDENTIFICATION

Name of project

Seymour Christian Academy - phase I

State project number

374343

County

Jackson

Address of site (number and street, city, state, and ZIP code)

5707 N. Sandy Creek Drive Seymour, In. 47274

Type of project

☐ New ☐ Addition ☐ Alteration ☒ Change of occupancy ☐ Existing

5. REQUIRED ADDITIONAL INFORMATION

The following required information has been included with this application (check as applicable):

- ☒ A check made payable to the Indiana Department of Homeland Security for the appropriate amount. (see instructions)
- ☒ One (1) set of plans or drawings and supporting data that describe the area affected by the requested variance and any proposed alternatives.
- ☒ Written documentation showing that the local fire official has received a copy of the variance application.
- ☒ Written documentation showing that the local building official has received a copy of the variance application.

6. VIOLATION INFORMATION

Has the Plan Review Section of the Division of Fire and Building Safety issued a Correction Order?

☒ Yes (If yes, attach a copy of the Correction Order.) ☐ No

Has a violation been issued?

☐ Yes (If yes, attach a copy of the Violation and answer the following.) ☐ No

Violation issued by:

☐ Local Building Department ☐ State Fire and Building Code Enforcement Section ☐ Local Fire Department

*A ministry of Apostolic Pentecostal Tabernacle, Inc.

7. DESCRIPTION OF REQUESTED VARIANCE

Name of code or standard and edition involved

IBC cpt. 11 2014, ANSI A117-2003

Specific code section

604.3 clearance

Nature of non-compliance (include a description of spaces, equipment, etc. involved as necessary.)

The adult (teacher) toilet rooms (two-single user type) have lavatories which invade the handicap approach space for the toilet. See attachment.

8. DEMONSTRATION THAT PUBLIC HEALTH, SAFETY, AND WELFARE WILL BE PROTECTED

Select one of the following statements:

- ☒ Non-compliance with the rule will not be adverse to the public health, safety or welfare; or
- ☐ Applicant will undertake alternative actions in lieu of compliance with the rule to ensure that granting of the variance will not be adverse to public health, safety, or welfare. Explain why alternative actions would be adequate (be specific).

Facts demonstrating that the above selected statement is true:

see attachment

9. DEMONSTRATION OF UNDUE HARDSHIP OR HISTORICALLY SIGNIFICANT STRUCTURE

Select at least one of the following statements:

- ☒ Imposition of the rule would result in an undue hardship (unusual difficulty) because of physical limitations of the construction site or its utility services.
- ☒ Imposition of the rule would result in an undue hardship (unusual difficulty) because of major operational problems in the use of the building or structure.
- ☒ Imposition of the rule would result in an undue hardship (unusual difficulty) because of excessive costs of additional or altered construction elements.
- ☐ Imposition of the rule would prevent the preservation of an architecturally or a historically significant part of the building or structure.

Facts demonstrating that the above selected statement is true:

see attachment

10. STATEMENT OF ACCURACY

I hereby certify under penalty of perjury that the information contained in this application is accurate.

Signature of applicant or person submitting application

Please print name

Date of signature (month, day, year)

Signature of design professional (if applicable)

Please print name

Date of signature (month, day, year)

11. STATEMENT OF AWARENESS (If the application is submitted on the applicant's behalf, the applicant must sign the following statement.)

I hereby certify under penalty of perjury that I am aware of this request for variance and that this application is being submitted on my behalf.

Signature of applicant

Please print name

Date of signature (month, day, year)

Attachment

Seymour Christian Academy
DHS project # 374343
Variance Request

Item #8 HSW Protection

This building is 15 years old. The toilet facilities were designed to comply with ADA federal guidelines for the disabled at that time. The current code standard is ANSI 117-2003 and does not allow a lavatory to be within the toilet approach space.

These toilet rooms serve only a few teachers and administrators.

There are compliant toilet stalls in the Boy's and Girl's toilet rooms.

The owner is currently preparing construction drawings for Phase II, the completion of the school portion of this project. Phase II will have additional compliant toilet rooms.

Vertical grab bars have been installed at all existing handicap toilets.

Item #9 Undue Hardship

Physical Limitations

These two toilet rooms will need to be enlarged to fully comply with current accessibility standards (see drawings).

Doing this would create an undue hardship because there would be reduced privacy afforded the occupant.

Building a "screen partition" would rob important space from the Lobby-Waiting room. It would also necessitate relocation of an adjacent classroom door.

Excessive Costs

The reconstruction of these two toilet rooms would result in undue financial hardship to the owner. The estimated cost of this work is \$30,000, a large amount of money for a small religious institution.

Attachment

Seymour Christian Academy
DHS project #374343
Variance Request

Item #7 Requested Variance Description

We are asking for a variance from this handicap toilet room standard to allow the continued use of these toilet rooms as they currently exist.

**REQUEST FOR ADDITIONAL
INFORMATION**

**DEPARTMENT OF HOMELAND
SECURITY
PLAN REVIEW DIVISION
402 West Washington Street
Room E245
Indianapolis, IN 46204**

Project Number

374343

Construction type**Receipt No.**

0

Occupancy classification

E, REM

RFI Date

11/18/2014

Scope of release requested**Type of release requested**

REPORT PRINTED ON: 12/30/2014

FAX: 7659629845

James P Lowry

James P. Lowry AR00031989
11046 Limbach Circle
Indianapolis IN 46236

jimboinindy@yahoo.com

938234 **Project Name**

Seymour Christian Academy

Street address

5707 Sandy Creek Dr

City

SEYMOUR

County

JACKSON

We are holding the above referenced project from further review and release for the reasons indicated below: (NFPA 13 and 13R (2010 Edition) will be effective starting September 27th, 2012)

- 1 8B1100 : Sites, buildings, structures, facilities, elements, and spaces (temporary or permanent) shall be accessible to persons with disabilities in accordance with Chapter 11, IBC (675 IAC 13-2.5). ***TO WIT: Single-user men's and women's restrooms (Rooms 11 and 12) do not meet toilet clear floor space requirements of ANSI A117.1-2003 Section 604.3.
- 2 A101 : Plans/Information in response to a correction request and/or balance of plans may be uploaded to our website using the "Upload Additional Plans" bullet at: <http://www.in.gov/ai/appfiles/dhs-drs/>

RETURN THIS SHEET along with a minimum of 1 set of the corrected plans as soon as possible to the Code Review Official in order for us to continue processing your plans. If corrected plans and specifications are not received within 30 days of this request the application will be subject to denial by the Branch Director, Code Enforcement and Plan Review in accordance with Section 12, GAR 675 IAC 12-6-12 (b). IMMEDIATE ATTENTION AND RESPONSE IS REQUIRED.

Any questions concerning this matter should be addressed to the Code Review Official.

Code Review Official

CRAIG BURGESS

cburgess@dhs.in.gov

Telephone Number

(317)234-1423

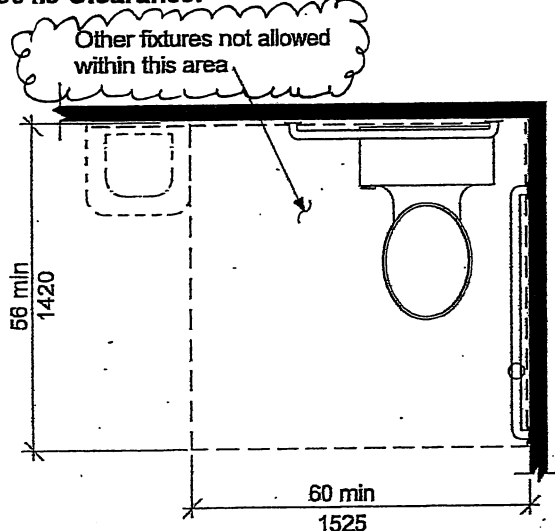
604.3 Clearance.

Fig. 604.3
Size of Clearance for Water Closet

604.3.1 Size. A clearance around a water closet 60 inches (1525 mm) minimum, measured perpendicular from the sidewall, and 56 inches (1420 mm) minimum, measured perpendicular from the rear wall, shall be provided.

604.3.2 Overlap. The required clearance around the water closet shall be permitted to overlap the water closet, associated grab bars, paper dispensers, sanitary napkin receptacles, coat hooks, shelves, accessible routes, clear floor space at other fixtures and the turning space. No other fixtures or obstructions shall be within the required water closet clearance.

604.4 Height. The height of water closet seats shall be 17 inches (430 mm) minimum and 19 inches (485 mm) maximum above the floor, measured to the top of the seat. Seats shall not be sprung to return to a lifted position.

EXCEPTION: A water closet in a toilet room for a single occupant, accessed only through a private office and not for common use or public use, shall not be required to comply with Section 604.4.

604.5 Grab Bars. Grab bars for water closets shall comply with Section 609 and shall be provided in accordance with Sections 604.5.1 and 604.5.2. Grab bars shall be provided on the rear wall and on the side wall closest to the water closet.

EXCEPTIONS:

1. Grab bars are not required to be installed in a toilet room for a single occupant, accessed only through a private office and not for common use or public use, provided reinforcement has been installed in walls

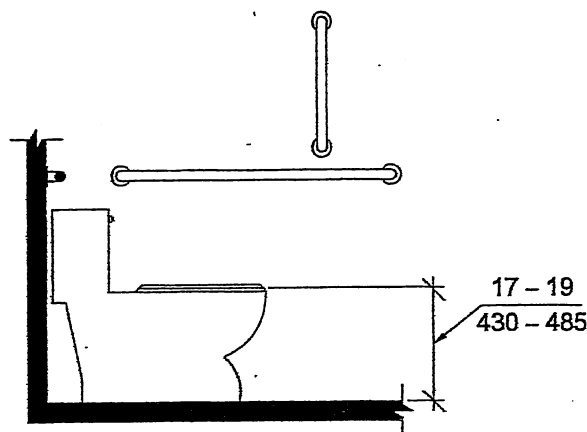


Fig. 604.4
Water Closet Height

and located so as to permit the installation of grab bars complying with Section 604.5.

2. In detention or correction facilities, grab bars are not required to be installed in housing or holding cells or rooms that are specially designed without protrusions for purposes of suicide prevention.
3. In Type A units, grab bars are not required to be installed where reinforcement complying with Section 1003.11.4 is installed for the future installation of grab bars.
4. In Type B units located in institutional facilities and assisted living facilities, two swing-up grab bars shall be permitted to be installed in lieu of the rear wall and side wall grab bars. Swing-up grab bars shall comply with Sections 604.5.3 and 609.
5. In a Type B unit, where fixtures are located on both sides of the water closet, a swing-up grab bar complying with Sections 604.5.3 and 609 shall be permitted. The swing-up grab bar shall be installed on the side of the water closet with the 18 inch (455 mm) clearance required by Section 1004.11.3.1.2.

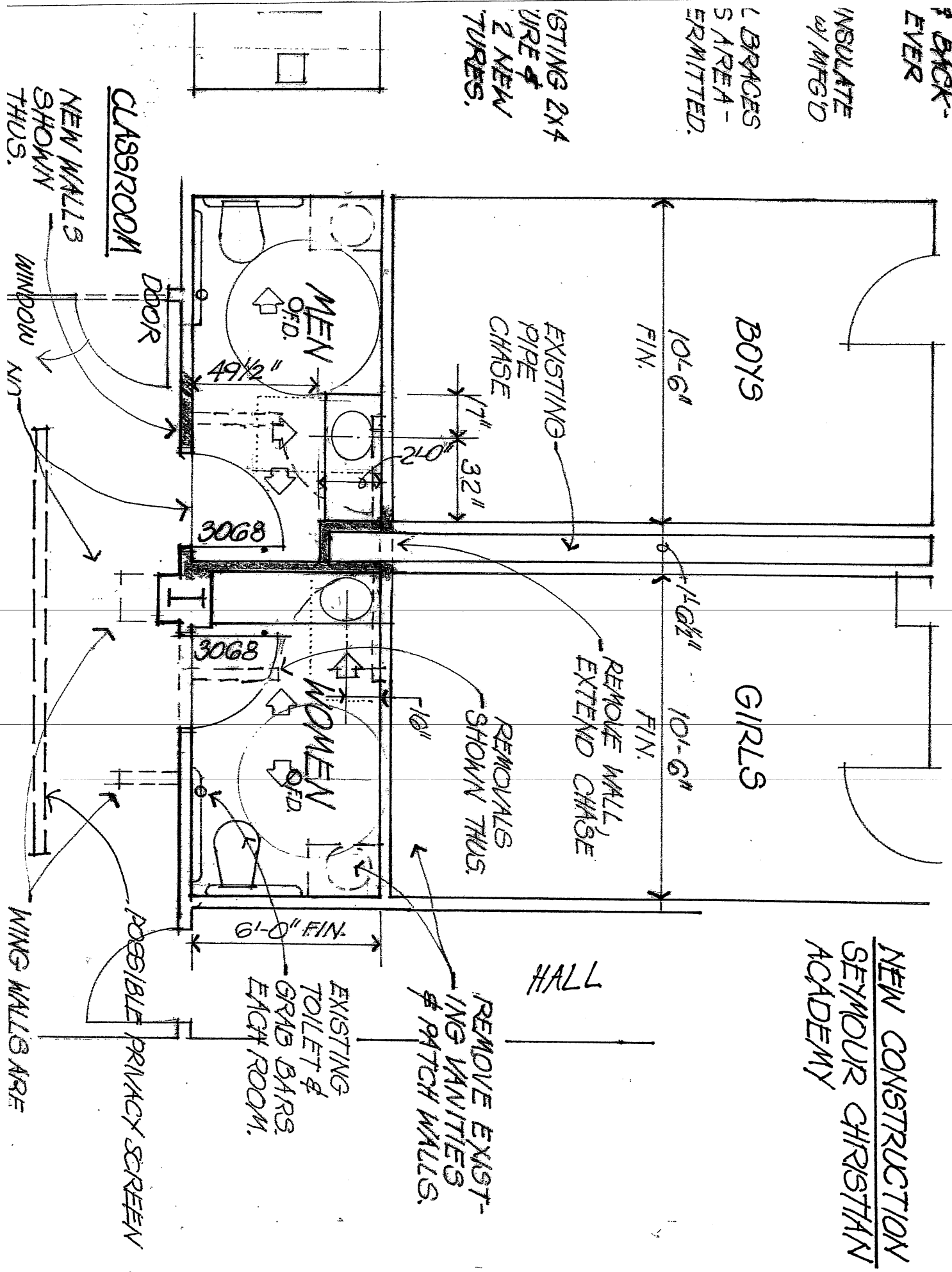
604.5.1 Fixed Side Wall Grab Bars. Fixed side-wall grab bars shall be 42 inches (1065 mm) minimum in length, located 12 inches (305 mm) maximum from the rear wall and extending 54 inches (1370 mm) minimum from the rear wall. In addition, a vertical grab bar 18 inches (455 mm) minimum in length shall be mounted with the bottom of the bar located between 39 inches (990 mm) and 41 inches (1040 mm) above the floor, and with the center line of the bar located

VANITY
 & BACK-
 EVER
 INSULATE
 w/ MFG'D

L BRACES
 S AREA-
 ERMITTED.

EXISTING 2x4
 WIRE &
 2 NEW
 TUBES.

NEW CONSTRUCTION
 SEYMOUR CHRISTIAN
 ACADEMY



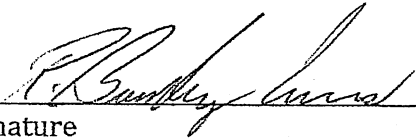
Re: Seymour Christian Academy – Phase I – DHS project #374343
5705 N. Sandy Creek Drive, Seymour, IN
Variance Request

As the local Building Official for this address, I certify that I have received a copy of
the Application for Variance prepared by James Lowry for Pastor Larry Arrowood.

Jeremy Gray Jeremy Gray
Signature Print name
Building Commissioner
Title
1/5/15
Date

Re: Seymour Christian Academy – Phase I – DHS project #374343
5705 N. Sandy Creek Drive, Seymour, IN
Variance Request

As the local Fire Official for this address, I certify that I have received a copy of the
Application for Variance prepared by James Lowry for Pastor Larry Arrowood.


Signature

R. BRADLEY LUCAS
Print name

FIRE CHIEF
Title

1/6/15
Date